

**MINUTES OF THE
VIGO COUNTY COUNCIL
TUESDAY, November 24, 2009 AT 5:00 P.M.
COUNCIL CHAMBERS, VIGO COUNTY ANNEX**

Pledge of Allegiance

Sheriff Jon Marvel called the meeting to order and led the Pledge of Allegiance.

Calling of the Roll

Present: Bill Bryan, Brad Anderson, Ed Ping, Tim Curley, Darrick Scott, Mark Bird, Kathy Miller.

All members are present and a quorum was declared by President Kathy Miller.

Corrections to the journal of the preceding meeting, if needed

- *October 13, 2009 meeting*
- *October 20, 2009 meeting*

Motion: To approve the minutes for October 13, 2009 and October 20, 2009 as published, **Action:** Approve, **Moved by** Brad Anderson, **Seconded by** Tim Curley.

Vote: Motion carried by unanimous roll call vote (**summary:** Yes = 7).

Yes: Bill Bryan, Brad Anderson, Ed Ping, Tim Curley, Darrick Scott, Mark Bird, Kathy Miller.

Public Comment

Dixie Nicholson, Vigo County employee is concerned about the Spousal Carve Out plan. She explained that she had spoken to the Commissioners who informed her that the Council asked the Commissioners to make cuts and this was one way to comply. President Kathy Miller noted that at the time of the Annual Budget, appropriations were approved for the 2010 budget year with the amount to cover the amount of a catastrophic event. A change in policy is an Executive decision, which came from the Commissioners.

Councilman Darrick Scott pointed out that the approved 2010 budget included the amount in Group Insurance to cover employees and their spouses. The Council had no part in the Carve-out decision; therefore, no blame should be put on the Council.

Commissioner Paul Mason addressed the issue stating that the Council had requested the Commissioners to look at ways to save money, perhaps through insurance. The issue was brought up to the insurance agent, who suggested the Spousal Carve Out plan option as a way to save the County money. This was a recommendation made by the insurance company, not the Vigo County Council.

Councilman Darrick Scott agreed that the carve-out will save the County money, especially looking into the 2011 budget with the same economic downturn as 2010. This is becoming a common practice with other organizations.

Commissioner Mike Ciolli added that he understands the employees feel two months is not enough time to plan for new coverage for their families. However, if there is a problem with getting coverage, they can stay on the County insurance until it can be acquired. He added, there were two options presented, carve-out, or a premium increase. By choosing the carve-out, higher premiums were alleviated.

Councilman Bill Bryan pointed out that by implementing the carve-out, families will be paying double deductibles.

Commissioner Paul Mason added that by saving money with this plan, it may save jobs.

President Kathy Miller commented further that she appreciated the Commissioners looking into the cost savings, but wants to make it clear that it was an Executive decision and not one made by the Council. Mr. Mason acknowledged that this was in no way suggested by the Council. It was suggested by the insurance carrier and was carried out by the Commissioners.

Peggy Osman, Vigo County employee, understands that the Council is looking to save money. She feels that since the County employees did not get raises, no one should get a raise and that no new people should be hired as is being proposed in tonight's agenda. In addition, she brought up the past issue of cell phones and take home vehicles and feels they are an unnecessary expense.

Norman Loudermilk wanted clarification on the cost of insurance; if in fact the cost is going up for 2010. Tim Seprodi, Vigo County Auditor verified that yes it will. Mr. Loudermilk further questioned that since County employees are not getting pay raises, the carve-out plan is a way to alleviate premium increases that would come out of employees' pockets, which would hurt the employee further. Again, he was told yes. He then asked if he can get the same benefit as the Courthouse, since funds were taken from one fund to pay for the Courthouse, maybe the Council would consider taking money from that fund to help pay for his premium that is going to increase approximately \$1,200 because of the carve-out.

President Kathy Miller explained that funds used to pay for the most recent payment of the Courthouse were from a surplus in the insurance fund. This project was supervised by the Commissioners. The Council recommended the reduction in the insurance fund which would still suffice the need for insurance as far as if a catastrophic event should occur. Ms. Miller pointed out that as Commissioner Paul Mason stated, this was a cost saving measure put in place to attempt to keep as many people employed as possible, unfortunately putting more of the burden on current employees.

Councilman Brad Anderson pointed out that when \$1.8 million was taken from the Hospital Benefits fund, which he did not want to do, there was an understanding that it would not interfere with employee insurance. At budget time, the amount was budgeted to cover the insurance and he felt that since there were no raises, the insurance should stay because it is a benefit and employees do not make a lot of money. Mr. Anderson

would like to see the Council keep the insurance in place since it is already budgeted. He feels that the premiums should go down next year since there are fewer employees. Downsizing in other areas should cause a surplus, allowing for coverage of an increased premium.

Councilman Mark Bird noted that the \$1.8 million borrowed from the Hospital Benefits fund must be paid back if for some unforeseen reason that fund runs short in the future. This was actually a loan and will need to be repaid from County General if needed.

Cheryl Loudermilk, Vigo County employee, stated that she understands the position of the Council, Commissioners and all counties in Indiana. She is not placing blame on anyone. However, she feels it is wrong to wait until the end of the year, after the budget was passed by the Council, and informing employees that there will be no raises, however, the benefits will remain, to implement the Spousal Carve-Out plan. She feels this is wrong and is the wrong way to treat employees. Perhaps looking into this option for 2011 would have been a better choice. Perhaps the individual departments could find ways to make cuts. She agreed with Councilman Brad Anderson in that cuts have been made. The Auditor's office has lost several employees. The workload for those remaining has tripled. Ms. Loudermilk does not want to cause problems; she would just like to have seen more communication between the Commissioners and the Council on this situation. Her personal situation includes no raise for her or her husband as well as a \$1,200 increase in premiums, and as Commissioner Bryan stated an increased deductible.

President Kathy Miller agreed with Ms. Loudermilk on the communication issue.

Communications from other officials or agencies

Sheriff Jon Marvel announced the jail ceilings are now completely fixed.

Sheriff Marvel wanted to make the Council aware that there is \$300,000 in medical costs that will need to be paid. The jail population is over 300. Sheriff Marvel stated that he met with the Commissioners to discuss the possibility of making drugs containing ephedrine to be a prescription drug as a deterrent to the making of methamphetamine. He has spoken to State Representatives who feel it is a good idea, however, now is not the time to introduce anything at the State level. Sheriff Marvel feels that if Vigo County has success as it did when ephedrine products were put behind the pharmacy counters, perhaps other Indiana counties would do the same. It is a bold step, but one he feels we need to do. He feels jail population is a direct result of drugs and the methamphetamine surge affecting Vigo County again. He has also been informed that more "Meth" babies are once again being born in the hospitals. There had been a period where there were no "Meth" babies being born.

Commissioner Judy Anderson feels it is not clear on the insurance issue. She indicated that if the carve-out plan does not happen there will be a 7.5% increase in the insurance. However, when questioned by Kylissa Miller, Chief Deputy Auditor, on exact figures and what the 7.5% increase actually means for employees and for the County, Ms.

Anderson did not have those available. Tim Seprodi, Vigo County Auditor stated that he will get the exact figures and provide them to the Council.

Reports from standing committees

- ***Annual Budget Committee***

There were none.

- ***Special Projects Committee***

There were none.

- ***Budget Adjustment Committee***

Additional Appropriation 2009-36 or Resolution of Reallocation of Existing Appropriation 2009-11

The Commissioners need additional funding in the amount of \$28,000 for electricity. The Council has the option of an additional appropriation or transferring funds from Circuit Breaker Effect within the Council's budget if that is their desire.

Motion: To approve Resolution of Reallocation of Existing Appropriation 2009-11 and deny Additional Appropriation 2009-36, **Action:** Approve, **Moved by** Darrick Scott, **Seconded by** Ed Ping.

Vote: Motion carried by unanimous roll call vote (**summary:** Yes = 7).

Yes: Bill Bryan, Brad Anderson, Ed Ping, Tim Curley, Darrick Scott, Mark Bird, Kathy Miller.

Additional Appropriation 2009-37 or Resolution of Reallocation of Existing Appropriation 2009-13

The Commissioners are asking for funds to pay for the rent that is due for the 6th and Wabash building where records have been stored in the amount of \$30,128. The Council has the option of an additional appropriation or transferring funds from Circuit Breaker Effect within the Council's budget if that is their desire.

Motion: To approve Resolution of Reallocation of Existing Appropriation 2009-13 and deny Additional Appropriation 2009-37, **Action:** Approve, **Moved by** Mark Bird, **Seconded by** Bill Bryan.

Vote: Motion passed (**summary:** Yes = 6, No = 1, Abstain = 0).

Yes: Bill Bryan, Brad Anderson, Ed Ping, Tim Curley, Mark Bird, Kathy Miller.

No: Darrick Scott.

Additional Appropriation 2009-38 or Resolution of Reallocation of Existing Appropriation 2009-12

The Maintenance Department needs additional funds in Repair to Buildings in the amount of \$15,000. The Council has the option of an additional appropriation or transferring funds from Circuit Breaker Effect within the Council's budget if that is their desire.

Motion: To approve Resolution of Reallocation of Existing Appropriation 2009-12 and deny Additional Appropriation 2009-38, **Action:** Approve, **Moved by** Ed Ping, **Seconded by** Tim Curley.

Vote: Motion carried by unanimous roll call vote (**summary:** Yes = 7).

Yes: Bill Bryan, Brad Anderson, Ed Ping, Tim Curley, Darrick Scott, Mark Bird, Kathy Miller.

Additional Appropriation 2009-39 or Resolution of Reallocation of Existing Appropriation 2009-15

Sheriff Marvel need additional funds to pay for hospital fees incurred in the amount of \$300,000. The Council has the option of an additional appropriation or transferring funds from Circuit Breaker Effect within the Council's budget if that is their desire.

Motion: To approve Resolution of Reallocation of Existing Appropriation 2009-15 and deny Additional Appropriation 2009-39, **Action:** Approve, **Moved by** Mark Bird,

Seconded by Bill Bryan.

Vote: Motion carried by unanimous roll call vote (**summary:** Yes = 7).

Yes: Bill Bryan, Brad Anderson, Ed Ping, Tim Curley, Darrick Scott, Mark Bird, Kathy Miller.

Additional Appropriation 2009-40

The Prosecutor is requesting additional funds in Infraction Deferral. These are not county funds. The request is for \$5,000 each in Travel, Registration, and Mileage.

Motion: To approve as requested, **Action:** Approve, **Moved by** Darrick Scott, **Seconded by** Bill Bryan.

Vote: Motion carried by unanimous roll call vote (**summary:** Yes = 7).

Yes: Bill Bryan, Brad Anderson, Ed Ping, Tim Curley, Darrick Scott, Mark Bird, Kathy Miller.

Resolution of Reallocation of Existing Appropriation 2009-14

Sheriff Marvel is asking to transfer funds from Payroll into Fees to Physicians in order to pay for the new Jail physician. These funds were already appropriated in Payroll for the previous physician.

Motion: To approve the request, **Action:** Approve, **Moved by** Tim Curley, **Seconded by** Mark Bird.

Vote: Motion carried by unanimous roll call vote (**summary:** Yes = 7).

Yes: Bill Bryan, Brad Anderson, Ed Ping, Tim Curley, Darrick Scott, Mark Bird, Kathy Miller.

Resolution of Reallocation of Existing Appropriation 2009-16

The Prosecutor is asking to transfer funds within the Prosecutor Title IV-D fund from Office Machines in the amount of \$2,058 into Office Supplies, \$1,800 and Maintenance Agreements, \$258.96.

Motion: To approve the request, **Action:** Approve, **Moved by** Bill Bryan, **Seconded by** Ed Ping.

Vote: Motion carried by unanimous roll call vote (**summary:** Yes = 7). **Yes:** Bill Bryan, Brad Anderson, Ed Ping, Tim Curley, Darrick Scott, Mark Bird, Kathy Miller.

Resolution of Reallocation of Existing Appropriation 2009-17

The Harrison Assessor is asking to transfer funds within their budget. From Mileage (\$2,000), State Meetings (\$3,000) and Binding Records (\$2,000) into Office Machines (\$5,000) and Office Supplies (\$2,000). This is to purchase a copier and for office supplies for the rest of the year.

Motion: To approve the request, **Action:** Approve, **Moved by** Tim Curley, **Seconded by** Brad Anderson.

Vote: Motion carried by unanimous roll call vote (**summary:** Yes = 7).

Yes: Bill Bryan, Brad Anderson, Ed Ping, Tim Curley, Darrick Scott, Mark Bird, Kathy Miller.

Resolution of Reallocation of Existing Appropriation 2009-18

Information Service is asking to transfer funds within their budget from Software in the amount of \$25,000 into Telephone (\$5,000) and Contractual Services (\$20,000).

Motion: To approve the request, **Action:** Approve, **Moved by** Darrick Scott, **Seconded by** Bill Bryan.

Vote: Motion carried by unanimous roll call vote (**summary:** Yes = 7).

Yes: Bill Bryan, Brad Anderson, Ed Ping, Tim Curley, Darrick Scott, Mark Bird, Kathy Miller.

Resolution of Reallocation of Existing Appropriation 2009-21

The Commissioners are asking to transfer funds from Worker's Comp into Unemployment in the amount of \$15,000 in order to pay current outstanding claims.

Motion: To approve the request, **Action:** Approve, **Moved by** Tim Curley, **Seconded by** Bill Bryan.

Vote: Motion carried by unanimous roll call vote (**summary:** Yes = 7).

Yes: Bill Bryan, Brad Anderson, Ed Ping, Tim Curley, Darrick Scott, Mark Bird, Kathy Miller.

Resolution of Reallocation of Existing Appropriation 2009-22

▪ Personnel Committee

2010 Salary Ordinance – 1. General Employee

Councilman Darrick Scott explained that the 2010 Salary Ordinance reflects what was voted on for the 2010 budget. President Kathy Miller referred to Exhibit E (page 48 of the agenda) which lists those positions not being filled for the 2010 budget through attrition.

Motion: To approve the 2010 Salary Ordinance, **Action:** Approve, **Moved by** Darrick Scott, **Seconded by** Mark Bird.

Vote: Motion carried by unanimous roll call vote (**summary:** Yes = 7).

Yes: Bill Bryan, Brad Anderson, Ed Ping, Tim Curley, Darrick Scott, Mark Bird, Kathy Miller.

2. Sheriff Deputy Salary Ordinance

3. Elected Official Salary Ordinance

4. County Council Salary Ordinance

Motion: To approve parts 2, 3 and 4 of the 2010 Salary Ordinance, **Action:** Approve, **Moved by** Darrick Scott, **Seconded by** Tim Curley.

Vote: Motion carried by unanimous roll call vote (**summary:** Yes = 7).

Yes: Bill Bryan, Brad Anderson, Ed Ping, Tim Curley, Darrick Scott, Mark Bird, Kathy Miller.

Resolution 2009-18

Previous PERF payments were not paid on a current employee in error. This resolution is to correct that error in the amount of \$2,105.42,

Motion: To approve the resolution, **Action:** Approve, **Moved by** Tim Curley, **Seconded by** Brad Anderson.

Vote: Motion carried by unanimous roll call vote (**summary:** Yes = 7).

Yes: Bill Bryan, Brad Anderson, Ed Ping, Tim Curley, Darrick Scott, Mark Bird, Kathy Miller.

Resolution of Reallocation of Existing Appropriation 2009-19

This request is to transfer funds within the Juvenile Center budget from Food into Payroll, FICA, and PERF in order to cover the last payroll of the year.

Motion: To approve the request, **Action:** Approve, **Moved by** Darrick Scott, **Seconded by** Tim Curley.

Vote: Motion carried by unanimous roll call vote (**summary:** Yes = 7).

Yes: Bill Bryan, Brad Anderson, Ed Ping, Tim Curley, Darrick Scott, Mark Bird, Kathy Miller.

Resolution of Reallocation of Existing Appropriation 2009-20

The Maintenance Department would like to transfer extra funds in Payroll that are there due to an employee retiring into Contractual Services. This would allow outside companies to do work that County employees are not trained to do or that may have equipment that the county does not have. This would include services such as an electrician or a plumber.

Motion: To approve the request, **Action:** Approve, **Moved by** Darrick Scott, **Seconded by** Tim Curley.

Vote: Motion carried by unanimous roll call vote (**summary:** Yes = 7).

Yes: Bill Bryan, Brad Anderson, Ed Ping, Tim Curley, Darrick Scott, Mark Bird, Kathy Miller.

Salary Ordinance 2009-12

The Clerk requested to fill three Deputy Clerk positions. The Personnel Committee passed the request to fill one Roving Clerk position at a Grade 7. Vigo County Clerk, Pat Mansard pointed out that the Roving Clerk position had previously been set at Grade 8.

Motion: To fill one Roving Court Clerk position at Grade 8, **Action:** Approve, **Moved by** Tim Curley, **Seconded by** Brad Anderson.

Vote: Motion passed (**summary:** Yes = 6, No = 1, Abstain = 0).

Yes: Bill Bryan, Brad Anderson, Ed Ping, Tim Curley, Mark Bird, Kathy Miller.

No: Darrick Scott.

Salary Ordinance 2009-13

This ordinance reflects a restructuring of the Highway Department due to the loss of 15 positions. The request passed through the Personnel Committee 3-0.

Motion: To approve Salary Ordinance 2009-13, **Action:** Approve, **Moved by** Brad Anderson, **Seconded by** Bill Bryan.

Vote: Motion carried by unanimous roll call vote (**summary:** Yes = 7).

Yes: Bill Bryan, Brad Anderson, Ed Ping, Tim Curley, Darrick Scott, Mark Bird, Kathy Miller.

Salary Ordinance 2009-14

The ordinance is a request from Convention & Tourism to eliminate one position and to refill the Office Manager position due to an employee leaving to accept another position elsewhere.

Motion: To approve Salary Ordinance 2009-14 (which is retroactive to October 1, 2009),

Action: Approve, **Moved by** Bill Bryan, **Seconded by** Tim Curley.

Vote: Motion carried by unanimous roll call vote (**summary:** Yes = 7).

Yes: Bill Bryan, Brad Anderson, Ed Ping, Tim Curley, Darrick Scott, Mark Bird, Kathy Miller.

Salary Ordinance 2010-1

Due to the elimination of a job description, Information Services is requesting a grade adjustment for the remaining employees with the savings of the eliminated position.

Motion: To deny the request, **Action:** Deny, **Moved by** Darrick Scott, **Seconded by** Ed Ping.

Vote: Motion carried by unanimous roll call vote (**summary:** Yes = 7).

Yes: Bill Bryan, Brad Anderson, Ed Ping, Tim Curley, Darrick Scott, Mark Bird, Kathy Miller.

Motion: Suspend rules, **Action:** Approve, **Moved by** Darrick Scott, **Seconded by** Tim Curley.

Vote: Motion carried by unanimous roll call vote (**summary:** Yes = 7).

Yes: Bill Bryan, Brad Anderson, Ed Ping, Tim Curley, Darrick Scott, Mark Bird, Kathy Miller.

Additional Appropriation 2009-41

The Health Department is requesting to appropriate funds for Phase 3 of a Federal grant for H1N1, which is 100% reimbursable.

Motion: To approve the ordinance, **Action:** Approve, **Moved by** Darrick Scott, **Seconded by** Tim Curley.

Vote: Motion carried by unanimous roll call vote (**summary:** Yes = 7).

Yes: Bill Bryan, Brad Anderson, Ed Ping, Tim Curley, Darrick Scott, Mark Bird, Kathy Miller.

Resolution of Reallocation of Existing Appropriation 2009-22

There has been an insurance settlement for the jail ceilings, which have been repaired. The County received \$429,000 from the insurance settlement which has been quietused into County General. However, in order to pay the bill, the funds must be appropriated into Repair to Buildings.

Motion: To approve the resolution, **Action:** Approve, **Moved by** Darrick Scott, **Seconded by** Mark Bird.

Vote: Motion carried by unanimous roll call vote (**summary:** Yes = 7).

Yes: Bill Bryan, Brad Anderson, Ed Ping, Tim Curley, Darrick Scott, Mark Bird, Kathy Miller.

Motion: Reinstate rules, **Action:** Approve, **Moved by** Darrick Scott, **Seconded by** Tim Curley.

Vote: Motion carried by unanimous roll call vote (**summary:** Yes = 7).

Yes: Bill Bryan, Brad Anderson, Ed Ping, Tim Curley, Darrick Scott, Mark Bird, Kathy Miller.

Reports from select committees

There were none.

Ordinances relating to appropriations

There were none.

Honorary resolutions.

There were none.

Resolutions relating to fiscal policies of the Council

Statutory discussion of the adoption of a Local Option Income Tax (LOIT)

Motion: To deny a Local Option Income Tax, **Action:** Deny, **Moved by** Darrick Scott, **Seconded by** Bill Bryan.

Vote: Motion carried by unanimous roll call vote (**summary:** Yes = 7).

Yes: Bill Bryan, Brad Anderson, Ed Ping, Tim Curley, Darrick Scott, Mark Bird, Kathy Miller.

First reading by summary reference of proposed ordinances and resolutions

There were none.

Appointments

There were none.

Sheriff Jon Marvel explained that he hired a new correctional employee, however, the only position he has open in the Jail is a Grade 10. However, correctional officers should be hired at Grade 8. In order to hire this person at Grade 8, the Sheriff would need to promote someone else into the Grade 10 position; however, there is no one he would like to promote at this time. Therefore, he will have to wait possibly 3 months to get things changed. This means the new position will be paid at a Grade 10 for three months, when he should be receiving a Grade 8 salary.

President Kathy Miller entered into a five-minute recess.

President Kathy Miller called the meeting to order.

Motion: Suspend rules, **Action:** Approve, **Moved by** Darrick Scott, **Seconded by** Tim Curley.

Vote: Motion carried by unanimous roll call vote (**summary:** Yes = 7).

Yes: Bill Bryan, Brad Anderson, Ed Ping, Tim Curley, Darrick Scott, Mark Bird, Kathy Miller.

Sheriff Jon Marvel is requesting to change a correctional officer position from Grade 10 to Grade 8

Motion: Change Correctional Officer from Grade 10 to Grade 8 retroactive to November 17, 2009, **Action:** Approve, **Moved by** Tim Curley, **Seconded by** Darrick Scott.

Vote: Motion carried by unanimous roll call vote (**summary:** Yes = 7).

Yes: Bill Bryan, Brad Anderson, Ed Ping, Tim Curley, Darrick Scott, Mark Bird, Kathy Miller.

Motion: To reinstate rules, **Action:** Approve, **Moved by** Mark Bird, **Seconded by** Darrick Scott.

Vote: Motion carried by unanimous roll call vote (**summary:** Yes = 7).

Yes: Bill Bryan, Brad Anderson, Ed Ping, Tim Curley, Darrick Scott, Mark Bird, Kathy Miller.

Adjournment

Motion: 7:30, **Action:** Adjourn, **Moved by** Bill Bryan, **Seconded by** Brad Anderson.

Vote: Motion carried by unanimous roll call vote (**summary:** Yes = 7).

Yes: Bill Bryan, Brad Anderson, Ed Ping, Tim Curley, Darrick Scott, Mark Bird, Kathy Miller.